

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|  |   |                   |
|--|---|-------------------|
| SUNGARD RECOVERY SERVICES L.P.,          | : |                   |
| a limited partnership, formerly known as | : |                   |
| SunGard Recovery Services Inc.           | : |                   |
|  | : |                   |
| Plaintiff,                               | : |                   |
|  | : | Civil Action      |
| v.                                       | : |                   |
|  | : | No. 02-4444 (PBT) |
| COMCAR INDUSTRIES, INC.,                 | : |                   |
| a Florida Corporation,                   | : |                   |
|  | : |                   |
| Defendant.                               | : |                   |
|  | : |                   |

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ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2004, upon consideration of Plaintiff SunGard Recovery Services L.P.'s Motion for Pretrial Conference pursuant to Fed. R. Civ. P. 16, it is hereby ORDERED and DECREED that a Pretrial Scheduling and Management Conference shall take place in Courtroom \_\_\_, on the following date and time:  
\_\_\_\_\_.  
\_\_\_\_\_.

\_\_\_\_\_  
J.

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| Plaintiff,                               | : |                   |
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| Defendant.                               | : |                   |
|  | : |                   |

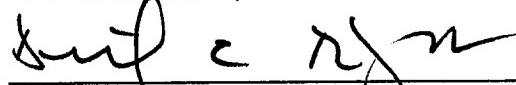
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**MOTION FOR PRETRIAL SCHEDULING AND  
MANAGEMENT CONFERENCE PURSUANT TO FED. R. CIV. P. 16**

Plaintiff SunGard Recovery Services L.P., by its undersigned counsel, hereby moves for a Pretrial Conference pursuant to Federal Rule of Civil Procedure 16. Plaintiff respectfully submits that a Rule 16 Scheduling and Management Conference is appropriate at this juncture to expedite the disposition of this action and facilitate possible settlement of the case.

Respectfully submitted,

BLANK ROME, LLP



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JAMES T. SMITH, ESQUIRE  
DANIEL E. RHYNHART, ESQUIRE  
Attorney I.D. Nos. 39933 & 78248  
One Logan Square  
Philadelphia, PA 19103  
(215) 569-5371

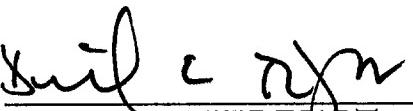
Dated: October 14, 2004

Attorneys for Plaintiff SunGard Recovery Services L.P.,  
formerly known as SunGard Recovery Services Inc.

**CERTIFICATE OF SERVICE**

I, Daniel E. Rhynhart, certify that a true and correct copy of Plaintiff's Motion for Pretrial Scheduling and Management Conference Pursuant to Fed. R. Civ. P. 16 was served on October 14, 2004, via U.S. Mail, postage prepaid, upon the following counsel of record:

Susan L. Bucknum, Esq.  
Campbell, Campbell, Edwards & Conroy, P.C.  
Three Glenhardie Corporate Center  
1265 Drummers Lane, Suite 200  
Wayne, PA 19087

  
DANIEL E. RHYNHART